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007/009

Application No.: 09/833,056

Docket No.: 30005822-1 US (1509-168)

REMARKS

The courtesies extended to the undersigned attorney for applicants during an interview on December 5, 2005, are acknowledged.

At the interview, the Examiner agreed the title now extant in the application is sufficiently descriptive.

At the interview, the undersigned attorney for applicants and the Examiner discussed the claimed subject matter vis-à-vis the two applied references, i.e., Britt, Jr. et al., USP 6,023,268, relied on by the Examiner to reject claim 25 and the claims dependent thereon, 26, 27, 31 and 33-34 and Toshida, USP 6,229,990, relied on to reject claims 29, 30 and 32-34.

As a result of the discussion at the interview, claim 25 has been amended for clarity, to define the step of connecting the portable memory to the user interface more specifically. Further, claims 25 and 28 now specifically require the portable memory to be disconnected from the user interface, and claim 32 requires the portable memory device to be disconnected from and re-connected to this interface device. Claims 25 and 28 also indicate the portable memory is reconnected to a user interface that can read from and write to the portable memory. Such language in claims 25 and 28 covers the possibility of the portable memory being connected to the same user interface that it was connected to while the given point was recorded on the portable memory, as well as covering a portable memory that is reconnected to a different user interface. Hence, claims 25 and 28 are broad enough to cover the situation of a user reading a passage from a computer in his office and then reading the passage at a computer in his home or car, while claim 28 is broad enough to cover the situation of a user listening to music on a desk top computer and then continuing to listen to the same music piece, at the same point of the music, on a lap top. Insertion

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of the disconnecting feature in claims 25 and 28 is a specific statement of steps that are inherent from the former language of claims 25 and 28. In this regard, both claims 25 and 28, as previously written, required subsequently reconnecting the portable memory. The word "reconnecting" implies that there was a disconnecting step between the penultimate steps of claims 25 and 28 and the last steps of these claims.

At the interview, the Examiner agreed that neither Britt nor Toshida rendered the subject matter of claims 25 and 28 unpatentable. In this regard, neither reference discloses the combination of the final three steps of claims 25 and 28, as now written, nor the disconnecting and re-connecting features of claim 32. Further, in Toshida the interruption is in connection with the downloading, rather than during listening.

As the Interview Summary Record indicates, the claims will be allowed, unless an update by the Examiner of his search indicates there is additional relevant prior art.

In view of the foregoing amendments and remarks, allowance is in order.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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